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TWS/vld
6/27/89

Business Improvement Area
(BIA) City to receive
Attorneys' fees & legal
fees

ORDINANCE NO. 1500

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON,
AMENDING ORDINANCE NUMBER 1422, WHICH FORMED A
BUSINESS IMPROVEMENT AREA WITHIN REDMOND, TO ADD
A NEW SECTION AUTHORIZING THE CITY TO RECEIVE
ATTORNEYS' FEES AND COSTS IN A LEGAL ACTION
INSTITUTED BY THE CITY TO COLLECT A BUSINESS
IMPROVEMENT AREA ASSESSMENT.

WHEREAS, on May 3, 1988, the City Council passed
Ordinance Number 1422 which formed, pursuant to RCW 35.87A, a
business improvement area within Redmond, and

WHEREAS, in order to fund the projects and activities
of the business improvement area, the City in this ordinance
imposed a statutory authorized annual special assessment upon all
businesses, except those expressly exempt, within the business
improvement area pursuant to RCW 35.87A.110(2), and

WHEREAS, a small minority of businesses within the
business improvement area have failed to pay their annual special
assessment causing the City to institute legal proceedings
against these businesses to receive these annual special
assessments, and

WHEREAS, the Redmond Downtown Association, with monies
derived from the businesses which pay their annual special
assessment, is obligated to pay the legal fees and costs
associated with these legal proceedings, and

WHEREAS, this procedure has led to the inequitable
result that businesses which pay their assessments are required
to pay the City's legal fees and costs incurred to collect the
special assessments from the small minority of businesses which
have failed to pay their assessments, and

WHEREAS, the City Council wishes to rectify this
inequity and authorize the City to receive attorneys' fees and
costs in legal actions instituted by the City to collect a
business improvement area assessments, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,
HEREBY ORDAINS AS FOLLOWS:

Section 1. Attorneys' Fees and Costs. If the City of Redmond institutes a civil action or proceeding against a business to collect any business improvement area special assessment and subsequently obtains a judgment for such assessment, then the City shall be entitled to reasonable attorneys' fees and costs incurred in such action or proceeding.

Section 2 Effective Date/Application to Pending Actions. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of the ordinance or a summary thereof consisting of the title. This ordinance shall apply all pending actions in which a judgment is entered by the court on or after such date.

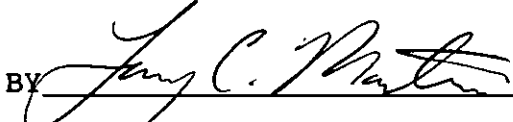
APPROVED:


MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:


CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: 7-13-89
PASSED BY THE CITY COUNCIL: 7-18-89
PUBLISHED: 7-23-89
EFFECTIVE DATE: 7-28-89
ORDINANCE NO. 1500